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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/846,991	05/01/2001	Hiroshi Shibata	2271/64858	3907	
Ivan S. Kavruk	7590 07/27/2007	EXAMINER			
COOPER & DUNHAM LLP 1185 Avenue of the Americas New York, NY 10036			SHINGLES, KRISTIE D		
			ART UNIT	PAPER NUMBER	
ŕ			2141		
			MAIL DATE	DELIVERY MODE	
			07/27/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/846,991	SHIBATA, HIROSHI		
Examiner	Art Unit		
Kristie D. Shingles	2141		

	Kristie D. Shingles	2141					
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress				
THE REPLY FILED 03 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.							
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in (idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)				
a) The period for reply expires 3 months from the mailing date	of the final rejection.		•				
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).							
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	ns of the date of e appeal. Since				
3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below);							
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or							
(d) They present additional claims without canceling a	corresponding number of finally rei	ected claims.					
NOTE: See Continuation Sheet. (See 37 CFR 1.1							
4. The amendments are not in compliance with 37 CFR 1.12	* **	mpliant Amendment	PTOL-324).				
5. Applicant's reply has overcome the following rejection(s)							
6. Newly proposed or amended claim(s) would be al non-allowable claim(s).		timely filed amendme	nt canceling the				
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is prov. The status of the claim(s) is (or will be) as follows: Claim(s) allowed:	☑ will not be entered, or b) ☐ wi vided below or appended.	ll be entered and an e	explanation of				
Claim(s) objected to: Claim(s) rejected: <u>1-46 and 49-52</u> . Claim(s) withdrawn from consideration:							
AFFIDAVIT OR OTHER EVIDENCE							
B. The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).							
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary 	vercome all rejections under appea	al and/or appellant fai	ls to provide a				
10. The affidavit or other evidence is entered. An explanation	n of the status of the claims after e	ntry is below or attach	ned.				
REQUEST FOR RECONSIDERATION/OTHER	t door NOT place the application is						
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.							
12. Note the attached Information Disclosure Statement(s). (13. Other:	N 4000 LABOUR LABOUR	kds/20070724					
St.	PERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2009						

U.S. Patent and Trademark Office PTOL-303 (Rev. 08-06)

Continuation of 3. NOTE: The claims have been amended with additional matter which would require further search and consideration by the Examiner.

Continuation of 11. does NOT place the application in condition for allowance because: The claims have been amended with additional matter which would require further search and consideration by the Examiner.

WILLIAM VAUGHN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2100